

State Senator Michael Switalski (D-Roseville) spoke out against the passage of Senate Bill 637, which passed the Senate floor on November 12 with a 24-14 vote. Switalski was given permission to speak out against the bill that could give children jail time for repeated minor in possession of alcohol offenses. The text of the speech follows:

You might ask yourself, “Why is this bill necessary?”

Are we suddenly being overwhelmed by rampant alcohol abuse by the Youth of Michigan?  
No.

I doubt kids are drinking any more today than they did 20, 30 or 50 years ago in Michigan, or 1000 years ago among the Vikings. They probably drink less.

In fact, the State’s Court Administrator’s Office reports that MIP convictions have dropped nearly a thousand a year the last 3 years. The current system appears to be working. Yet we are being asked to misconstrue the meaning of *possession* and provide for jail time if our kids drink a swig of beer.

*What is it that has made us so desperate?*

The Michigan Court of Appeals issued a decision last year that said it was not a crime for minors to drink legally in Canada and then come home to Michigan. I guess the Republic is now officially *in peril*.

I think it is wrong to try to manipulate the meaning of words, distort our laws, and put kids in jail for doing something that at best is patently legal and is generally more accurately characterized as misbehavior.

But we want jail time.

Today we are prepared to brand our own children as criminals, categorize them as substance abusers, compel them to undergo therapy, put them on probation for a year, charge them thousands of dollars for these privileges, scar them with a criminal record that may limit their aspirations for the rest of their lives, and ultimately put them in jail.

All in the name of helping them. Because a kid celebrates his 19<sup>th</sup> birthday by going to Canada with his buddies and drinking a beer.

*What are we thinking?*

Kids are not stupid.

They know when they are being misused. They have a keen sense for hypocrisy. And they resent injustice when they see it. Does a college sophomore at a frat house kegger really need a year of counseling and monthly visits to his probation officer? Do kids in the basement at a New Year’s Eve Party need to perform 100 hours of community service, extensive rehab, and undergo substance abuse screening? Will this make them respect the law, obey their elders, and believe in the values of our society?

No. It will do exactly the opposite.

*Have we lost all perspective?*

The jails in Macomb County are full. When we hit 7 straight days over capacity, the Chief Judge has to let somebody out. He’ll have to let more out if we need to make room for kids who drink beer in Canada on the weekends.

Is that how we want our kids treated and our jails run?